

Applicant: Herman Buschke
Serial No.: Not Yet Assigned
Filed: Herewith
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REMARKS

Claims 1-56 were pending in the subject application. By this Preliminary Amendment, applicant has canceled Claims 1-35, 47 and 50-51 without prejudice or disclaimer. Accordingly, upon entry of this Amendment, Claims 36-46, 48-49 and 52-56 will be pending and under examination.

Applicant has also amended the specification to include the continuing data for the subject application and to acknowledge U.S. Government support.

Applicant maintains that these amendments do not raise an issue of new matter. Accordingly, entry of the amendments is respectfully requested.

INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56, applicant would like to direct the Examiner's attention to the references which are listed on the attached forms PTO/SB/08A-B (3 sheets). Two of these sheets are copies of forms submitted in connection with grandparent U.S. Patent Application No. 09/369,651. All of the references listed on the attached forms were previously submitted to or cited by the Patent Office during the prosecution of U.S. Patent Application No. 09/369,651 and/or U.S. Patent Application No. 09/924,375, from which the subject application claims the benefit of its filing date under 35 U.S.C. §120. Accordingly, pursuant to 37 C.F.R. §1.98(d), copies of previously cited or submitted references are not included with this Information Disclosure Statement. Applicant is submitting the subject Information Disclosure Statement pursuant to 37 C.F.R. §1.97(b)(1) with the filing of a U.S. national application. Accordingly, no fee is deemed necessary in connection with the filing of this Information Disclosure Statement.


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CONCLUSION

Applicant submits herewith a check for \$417.00 to cover the fee for a small entity for filing the subject application (\$375.00 basic filing fee plus \$42.00 for filing one independent claim in excess of three independent claims). No additional fees are deemed necessary in connection with the filing of this Preliminary Amendment and Information Disclosure Statement. However, if any other fee is required to preserve the pendency of the subject application, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 01-1785.

Respectfully submitted,
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Dated: New York, New York
August 28, 2003

By 
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